

RECORD OF EXECUTIVE DECISION BY CABINET
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ITEM:	Approval to progress the Hampton Bridge Scheme.
Cabinet Members Present:	Councillors Simon Geraghty (Chairman), Marc Bayliss, David Chambers, Adam Kent, Steve Mackay, Richard Morris, David Ross and Emma Stokes.
Date of Decision:	24 October 2024
Purpose:	To consider the approvals needed for the progression of the Hampton Bridge Scheme.
DECISION:	Cabinet: a) Noted progress with the Hampton Bridge Scheme including unanimous approval of the planning application by the Planning and Regulatory Committee on 19 March 2024; b) Authorised the making, confirmation and implementation of a compulsory purchase order (CPO) pursuant to the powers set out in sections 239, 246 and 250 of the Highways Act 1980 and all other enabling powers to compulsorily acquire the areas of land and the necessary rights over land within the area shown on the plan provided as Supporting Information to facilitate the delivery of the Hampton Bridge Scheme; c) Authorised the making, confirmation and implementation of a Bridge Scheme in relation to the Hampton Bridge scheme, pursuant to the powers in section 106 of the Highways Act 1980 (Bridge Scheme); d) Authorised the making of Public Path Creation Orders (PPCO) in relation to the Hampton Bridge Scheme, pursuant to section 26 of the Highways Act 1980;

	<p>e) Delegated authority to the Strategic Director for Economy and Infrastructure, in consultation with the Cabinet Member with Responsibility for Highways and Transport, to:</p> <ul style="list-style-type: none">i. determine the form and contents of the CPO and the statement of reasons accompanying the CPO and to finalise the same;ii. take all necessary steps to secure the making, confirmation and implementation of the CPO including the publication and service of all statutory notices on relevant parties, the investigation of and response to objections (including the negotiation and completion of any necessary agreement and undertaking in order to secure the removal objections to the CPO), the preparation and finalisation of a statement of case or written representation, the presentation of the case at any public inquiry or via written representations and all other associated procedural steps;iii. take all appropriate actions for making amendments, modifications and deletions to the CPO and plans including updates and corrections as necessary to finalise and secure confirmation of the CPO;iv. to implement the CPO either by general vesting declaration or notice to treat and notice of entry (whichever mechanism is preferred for each land parcel) following confirmation of the CPO;v. to acquire the CPO Land whether by voluntary agreement or compulsorily pursuant to the CPO;vi. acquire the rights over the necessary rights over the CPO Land whether by voluntary agreement or compulsorily pursuant to the CPO;vii. issue and serve any warrants to obtain possession of the CPO Land once acquired following execution of a general vesting declaration or service of notice of entry and notice
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	<p>to treat if it is necessary to obtain vacant possession;</p> <ul style="list-style-type: none">viii. exercise the Council's powers to survey and investigate land pursuant to section 172 of the Housing and Planning Act 2016 and to issue and serve any warrants necessary to obtain access to such land;ix. suspend or abandon the CPO proceedings or withdraw the CPO in relation to all or part of the CPO land;x. take necessary action to deal with all matters relating to CPO (including the payment of statutory compensation) including, where required, instituting or defending proceedings;xi. obtain any necessary statutory consents and any other such consents and agreements as are necessary in order to construct, maintain and operate the Hampton Bridge scheme; and,xii. take all other necessary action to give effect to these recommendations; <p>f) Delegated authority to the Strategic Director for Economy and Infrastructure, in consultation with the Cabinet Member with Responsibility for Highways and Transport, to determine the form and contents of the application to the Secretary of State under section 19 of, or paragraph 6 of Schedule 3 to, the Acquisition of Land Act 1981 (either provision, or both, as the case may be) for exemption from the requirement for special parliamentary procedure and to make any necessary changes to the CPO including, without limitation, the inclusion within the CPO of exchange land;</p> <p>g) Delegated authority to the Strategic Director for Economy and Infrastructure, in consultation with the Cabinet Member with Responsibility for Highways and Transport, to:</p> <ul style="list-style-type: none">i. determine the form and contents of the Bridge Scheme;ii. take all necessary steps to secure the making, confirmation and
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	<p>implementation of the Bridge Scheme including the publication and service of all statutory notices on relevant parties, the investigation of and response to objections (including the negotiation and completion of any necessary agreement and undertaking in order to secure the removal of objections to the Bridge Scheme), the preparation and finalisation of a statement of case or written representations, the presentation of the case at any public inquiry or via written representations and all other associated procedural steps;</p> <ul style="list-style-type: none">iii. take all appropriate actions for making amendments, modifications and deletions to the Bridge Scheme including updates and corrections as necessary to finalise and secure confirmation of the Bridge Scheme;iv. suspend or abandon the Bridge Scheme proceedings or withdraw the Bridge Scheme;v. take necessary action to deal with all matters relating to the Bridge Scheme where required, instituting or defending proceedings; and,vi. take all other necessary action to give effect to these recommendations; <p>h) Delegated authority to the Strategic Director for Economy and Infrastructure, in consultation with the Cabinet Member with Responsibility for Highways and Transport, to:</p> <ul style="list-style-type: none">i. determine the form and contents of the PPCOs;ii. take all necessary steps to secure the making, confirmation and implementation of PPCOs including the publication and service of all statutory notices on relevant parties, the investigation of and response to objections (including the negotiation and completion of any necessary agreement and undertaking in order to secure the removal of objections to the PPCOs), the preparation and
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	<p>finalisation of a statement of case or written representations, the presentation of the case at any public inquiry or via written representations and all other associated procedural steps;</p> <ul style="list-style-type: none">iii. take all appropriate actions for making amendments, modifications and deletions to the PPCOs including updates and corrections as necessary to finalise and secure confirmation of the PPCOs;iv. suspend or abandon the PPCO proceedings or withdraw any PPCO;v. take necessary action to deal with all matters relating to PPCOs (including the payment of statutory compensation) including, where required, instituting or defending proceedings; and,vi. take all other necessary action to give effect to these recommendations; <p>i) Approved the use of the Council's powers under section 203 of the Housing and Planning Act 2016 to appropriate land for planning purposes and override the existing rights and covenants on land required to deliver the Hampton Bridge Scheme that would be infringed by or impede the construction, operation or maintenance of the Hampton Bridge Scheme and delegate their exercise to the Strategic Director for Economy and Infrastructure in consultation with the Cabinet Member with Responsibility for Highways and Transport;</p> <p>j) Approved the proposed funding strategy for the Hampton Bridge Scheme as set out in paragraphs 22 and 23;</p> <p>k) Recommended to Full Council a transfer of funding (virement) of £4.6 million from the Integrated Block Funding line within the previously approved Capital Programme into the Hampton Bridge scheme; and,</p> <p>l) Authorised the Strategic Director for Economy and Infrastructure, in</p>
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	consultation with the Cabinet Member with Responsibility for Highways and Transport, to award construction and any other contracts necessary to complete the Scheme.
Reason(s) for the Decision:	To allow the scheme to progress to provide a key link in the proposed Evesham Local Cycling and Walking Infrastructure Plan.
Alternative Options Considered:	None other than as set out in the report.
Conflict of Interest (any declared by a consulted Cabinet Member/any dispensation granted)	None
Date the decision is due to take effect:	31 October 2024

HAZEL BEST, ASSISTANT DIRECTOR, LEGAL AND GOVERNANCE